



City of Peabody
Conservation Commission

City Hall • 24 Lowell Street • Peabody, Massachusetts 01960 • Tel. 978-538-5782

MINUTES

OCTOBER 10, 2018
DEPARTMENT OF PUBLIC SERVICES
50 FARM AVENUE

MEMBERS PRESENT

Chairman Michael Rizzo
Vice Chairman Bruce Comak (left at 9:17pm)
Bryan Howcroft (left at 9:28pm)
Travis Wojcik
Stewart Lazares

MEMBERS ABSENT

Melissa Feld, Secretary
Gerry Kruczkowski
Craig Welton

Also Present: Lucia DelNegro, Conservation Agent; Brendan Callahan,
Assistant Director of Planning

CHAIRMAN RIZZO CALLED THE MEETING TO ORDER at 7:05 pm

PROPOSED NEXT MEETING DATES- November 14, 2018 AND December 12, 2018
DPS- 50 Farm Avenue

****Please note meeting location has changed- The Commission will meet at the Department of Public Services located at 50 Farm Avenue, Peabody MA until further notice.**

Items 1 and 2 were discussed together.

VIOLATION ORDER

1. A Violation Order issued to Emmanuel Papanickolas for DEP File No. 55-822. The property location is 25 Farm Avenue. The alleged violation is adding fill and an crushed aggregate pad in the location of a proposed stormwater basin as approved by the commission under DEP file no. 55-822.

2. A Public Hearing on a Notice of Intent submitted by Emmanuel Papanickolas. This is an “after the fact” filing. The property owner is requesting the commission to allow existing filled pad to remain in buffer zone. No stormwater components are proposed at this time. The property is known as 25 Farm Avenue, Map 69, Lot 6, Peabody MA.

PRESENT: Crystal Papanickolas (legal counsel)

MR CALLAHAN: The city issued a Violation Order to the property owner. It got flagged basically when they started the process of submitting the next item on the agenda, the Notice of Intent. When we were kind of just checking to see if that preexisting Order of Conditions if they were in compliance. We discovered that it wasn't. There was supposed to be a stormwater detention basin built sort of on the right-hand side of where the lot is at Junk Haul. The basin was never constructed. It currently looks like there is trucks and dumpsters on that site. We have contacted the property owner. I spoke with Crystal Papanickolas. Made her aware that we noticed this I guess. We started the conversation of starting to get that rectified. From what I understand from the property owner they have reached out to John Karamas to take a look at the site. They are trying to get a schedule of when he can get out there and construct that detention basin. Once it is constructed I would recommend withdrawing the Violation Order. I don't think at this point we need to issue an Enforcement Order or anything. We have been having good communication. They do seem like they are trying to resolve the issue and get it built. Ideally that will be done before the next meeting. After that we will be heading into winter.

MR COMAK: There is an NOI in front of us?

MR CALLAHAN: Right and we can jump right into that. I think I just wanted to update you on the violation order now.

MR COMAK: Why would we entertain an NOI if there is a violation on the site?

MR CALLAHAN: You do not have to.

MR RIZZO: The site is confusing to me.

MR CALLAHAN: The violation order is for the Junk Haul. Closer to the gate to the landfill.

MR RIZZO: Is that where the detention area was supposed to be built?

MR CALLAHAN: Yes.

MR RIZZO: Is the new NOI relative to that location?

MS PAPANICKOLAS: No that is further down the street.

MR CALLAHAN: To go back to Bruce's comment; it is all one large parcel. It is all 25 Farm Avenue. If I was to comment on Bruce's question in advance of talking about the next item, you

do not even need to open the hearing until they comply with the existing Order of Conditions for Junk Haul.

MR RIZZO: Is the existing Order of Conditions still valid?

MR CALLAHAN: Yes, it is still valid.

MR RIZZO: It is important that the work gets done.

MR CALLAHAN: Correct. That message has been conveyed to Crystal. I would not recommend issuing an Order of Conditions for the new NOI until they comply with the existing Order of Conditions.

Discussion ensued.

MR CALLAHAN: The new NOI. It is a site that has been cleared to a certain extent now. I can't confirm if they are storing trailers on the site or operating on the site yet. I haven't seen any activity, but I do see trailers there. I don't see them come and go. I have only driven by once when people are on there. That was before we asked them to file the NOI. They are basically looking to get an Order of Conditions. From what I understand it is to have tractor trailers stored on the site.

MR RIZZO: There are all kinds of tractor trailer trucks on there now. We got a letter from DEP asking the city to take action regarding the activities that are taking place on that property. There are reports that engine work has been being done; transmissions being taken out of a vehicle. Oil is all over the place. I have not been on the property. I went there tonight and looked from the street. I really cannot see what is going on in there. We are on notice from DEP to take action on this property. We haven't done anything yet. I am a little reluctant to act on anything to do with that property until this stuff is resolved. I have a letter from Elizabeth Sabounjian who is the environmental analyst from DEP. The city has been put on notice. There has been a complaint received by DEP. I am not even positive that I know where this is happening. People have the right to use their property. They are in violation. When they are not following the Order of Conditions and there are more activities, and businesses and people bringing stuff in and other stuff happening on the site. I do not have a lot of sympathy for property owners that do that kind of stuff. We need to get this site cleaned up. Why should we act on an NOI for the same property when these trucks are still there, and these things are still happening? I did notice that the trucks were not in the wetlands. Last meeting the front of the truck looked like it was in the wetlands. Tonight at least the cab of the truck is facing away from the wetlands and a little farther away. I can't speak to the activities that have supposedly taken place on the site. I wasn't there, and I didn't see it. I am only going by an email to the commission, to me, from DEP asking the city to take action.

MR CALLAHAN: As far as I know the trailers are there. I don't know if they were left there before the city became aware of the activities. Or are they currently bringing in new trailers? Or are those just trailers that haven't left since we because I know the building department hasn't issued a permit to operate there. The commission has not issued any sort of permit. I would like to hear if they are currently operating on that site. I don't know. I haven't heard from the building department. They have not made me aware of anything. I guess I haven't asked Crystal if they are operating on the site.

MR LAZARES: I am agreeing with what you and Bruce have said. If they do not comply with the first project and clean up the area that is potentially contaminated; there is no need to proceed further on their behalf. It doesn't do the city any good. It will also make it much more difficult to clean it up later.

MS PAPANICKOLAS: As far as the one call junk haul lot that has the Order of Conditions that was already approved. My mother and I met with Mr. Karamas on September 25th. We told him we were trying to push to get this done before the meeting. He said he would make every attempt to start it before today's meeting. It was a large enough job that he said he would not be able to finish it by today. As far as I understand he wanted to meet with Mr. Mello and with Brendan together to make sure it was carried out correctly. So that is where I am at with that part of the Farm Avenue lot. As far as the NOI the tenants that occupied it before the city put their violation notice. They were instructed because it was approved by DEP that the previous tenant had corrected the situation. Not to go outside and extend those bounds at all. To my knowledge they have not done so. Since the city has basically ceased their operation of business from that lot they were allowed to mainly keep their containers there. Because they had no place to move them to. To my knowledge they are not operating from that lot at all, since the city issued the cease and desists that requires us to do the NOI they have stopped working on that lot all together. They were told that they could just leave the containers. They didn't have a place to remove the containers to. To my understanding that is what has been done. Mr. Mello can speak to the flagging and everything else that has been done for that lot.

MR RIZZO: There is still a lot of equipment that is on the site where the mitigation is supposed to take place. Why is all that stuff still there? You were supposed to start today. Why are all those trucks and equipment still on the site?

MS PAPANICKOLAS: I didn't get an answer for that and I was not aware of that. When my mom and I met with Mr. Karamas that he would either be in contact with the tenant to move his belongings so that he could start the work.

MR RIZZO: I think the first step is to show us that something is happening to get that site cleared of any equipment so that you can do your work. Then you would have come here tonight and told me. Nothing is going on though. If Mr. Karamas went there today or any other time this week he would not have been able to work there even if he wanted to. There are trucks and everything all over the place.

MS PAPANICKOLAS: He has room to move his belongings over so that Mr. Karamas can work. Mr. Karamas said there is plenty of room there.

Discussion ensued. There was confusion as to which lot was used for what at 25 Farm Avenue.

MR CALLAHAN: I would suggest we refer to them as lot 1 and lot 2. The You Haul One Haul Junk Haul we can call it lot 1. This new NOI is say for lot 2.

Discussion ensued. Calling them lot 1 and lot 2 did not help with the confusion. Mr. Papanickolas Jr. pulled up an aerial of the site and showed it to the commission.

MS PAPANICKOLAS: Just as a side note to this Notice of Intent lot (lot with trailers) just keep in mind after your committee approved Michael Weiss at the adjoining landlocked property we have photographs of him pumping his wetlands onto ours. Mr. Comak I clearly remember you said that if there was a problem with the wetlands it should fall on Mr. Weiss and not Mr. Papanickolas. I just want to make you all aware of that.

MR CALLAHAN: From what I understand they had to pump that water to build the road. They couldn't build the road without pumping the water into the wetland area. It wasn't like they were pushing more water on your property. The water was going to get here anyways. But they were building a road so (interrupted).

MS PAPANICKOLAS: He also installed two wells. I don't remember that being part of his thing. He drained the wetlands off all of his property. He was caught pumping it onto us and the city gave him a cease and desist.

MR COMAK: He put wells in?

MR CALLAHAN: All I know is that he was approved to pump the water.

MS PAPANICKOLAS: Not onto our property though.

MR CALLAHAN: They were allowed to pump the water to build the road. Now they have a culvert under the road to keep them hydrologically connected. I don't understand why this is relevant? What is your point?

MS PAPANICKOLAS: I am just saying it is affecting our wetlands on our property.

MR CALLAHAN: How is it affecting your wetlands?

MS PAPANICKOLAS: He dumped a ton of water from his property onto ours.

MR CALLAHAN: The water was already there.

Discussion ensued. The commission did not think the abutting property's project was relevant to the items on the agenda for the evening and requested to move on from said discussion.

MR CALLAHAN: I haven't read the DEP letter. What are they saying to do?

Discussion ensued. The letter was distributed via email in May 9, 2018 all commissioners and city staff were notified. The commission asked Mr. Mello to speak regarding the DEP letter.

MR MELLO: I have had discussion with Ms. Sabounjian with what you are calling parcel two. That was the subject of a Consent Agreement. There was a gentleman who did tree work, Mr. Lobel. He had gone in there and did a bunch of work. They hired a firm in Lynn NATIVEtec. They produced some plans that Ms. Sabounjian was good enough to send me. We did a topographic survey of what was there. We submitted that and I spoke to Brendan. We looked at it and talked to Elizabeth again. She said where are the wetlands? I said I can't get Mr. Marini's plan to overlay anywhere. It is a nice plan that someone put together (inaudible). Mr. Manuell went out and flagged the wetlands. We have located that, and we have submitted that with our plan. I have taken NATIVEtec's plans and I have blown them up to every scale I could. Their scale was somewhat ambiguous. I finally got them to a point to overlay them. His wetland was done by LEC. To overlay in a lot of points where Mr. Manuell's wetland line. They are very similar. The interior work that had happened there I believe when the Consent Agreement (CA) was done is inside all those lines. I walked it, but I do not know what happened since then. It doesn't look like a lot of earthwork has gone on. If we open that item up I am going to make the presentation. Although there is work going on in there and whether they have the right to be there or not. I know Mr. Lobel's people paid their fines and went on their way. They left the place the way it was. It was in a condition that Ms. Sabounjian was happy with. These people seem to be doing work in there. They seem to be on the same footprint that was approved in the CA. I can't see that there is anything different. That is what I was going to present this evening. That is the subject of the NOI. The other site was the subject of another NOI subsequent to work being done, fence being put up and You Junk moving in. After meetings and working with DPS a stormwater management facility was going to be constructed adjacent to the facility towards 128. That facility was not built. There seems to be material that was brought in and there are additional trucks in that area. Mr

Karamas and I have talked. We have gone out and looked at it. He is in the process of mobilizing to do that project. He is going to come in and construct that stormwater so then we can hopefully request a Certificate of Compliance. That is all I know. That is both sites.

Discussion ensued.

MS PAPANICKOLAS: I represent my father (as legal counsel). The only thing I can inform you of as far as the work being done on the site to my knowledge my tenants have only disclosed to me that they have changed tires. I have heard nothing about oil changes or anything about contamination. They literally park their trucks, change the tires and out they go. That is the extent I can tell you about that lot and how it is being used. Literally to park trucks and containers. That is it.

MR COMAK: What is the name of the company that is there?

MS PAPANICKOLAS: Obergois trucking (spelling?). It is a trucking company.

MR RIZZO: The email (from DEP) says there was oil changes being done. A transmission was dropped from the truck.

MS PAPANICKOLAS: As far as that incident it may have been because I am speculating here. I do not know for sure until I talk to the tenant. They did have an incident where eighteen tires on one of their trucks was slashed. There was trouble to that truck. I imagine it would have been a one-time thing. They weren't doing it all the time.

Discussion ensued. The commission felt it was best to open the public meeting.

Motion to continue the Violation Order as made by Mr. Wojcik. Seconded by Mr. Comak. Adopted unanimously.

The commission opened the public hearing for the new NOI (55-860).

MR MELLO: I have a bunch of plans that I have blown up of everything that Libby Sabounjian sent me from the previous (inaudible) that led to Mr. Lobel cleaning the place up. He paid a small fine and off he went. We went out there and did a topographic survey. We located everything that is shown on NATIVetec plans. We have a couple of poles over here going into the mulch site. It comes around and wraps around the back of this. We have a culvert. We have paving. We have some bollards. We have wetland flags. When I take that plan I can not overlay it no matter what I do to it. I think a lot of this detail was added extemporaneously just to get it on there because they were trying to show were it was. The brown line here is the existing operational facility. If you pull in here there are a couple of small SUVs that have been there since the first day I went there. They have never moved. There seems to be some trucks that come and go. They are all in that area. The wetland flagging that Mr. Manuell did is the green flagging that sits right here. That is the actual wetland as of today that Mr. Manuell flagged. That is substantially outside this brown line. The red line is the best I can overlay the NATIVetec plans that LEC did the flagging for. I get a few major points to kind of come close and they sit in there. I believe that is a reasonable representation of the previous wetland flagging and Bill is very close to it. Wetlands come in go. Different seasons whatever soils. It is as close as it is going to get. There are no grades on the NATIVetec plans. They are two dimensional. So, I can not tell you what is going on vertically. Just looking at it there is nothing that looks like it has been changed there recently. It is a pad that has been run over. There is some gravel, loam and whatever. It is not swamp. It is hard pack that they work on. That is what I got and that is what I was going to show you this evening. I don't believe that the current use has exceeded the limits of the plans that were prepared for the

consent agreement by the consultants. Ms. Sabounjian gave me three plans. A preexisting, a plan of attack and then an as-built. They all pretty much work together. There are these two little "v" areas here. On the NATIVETec plans show this area, this area and an area out here that doesn't make a lot of sense but there must have been debris there. It says all this should be hand removed, loamed and seeded. I think that has happened but whatever they filled and seeded with did not turn into a wetland. Maybe they expected it to? Mr Manuel's flags are out of that area. If LEC was in here that area was cleaned up, filled in and now acting as an upland.

MR RIZZO: That would be an impact then.

MR MELLO: Well those two areas are not being used by what is going on. I am telling you that because maybe that was impact that didn't come out the way they expected it to. It appears that they cleaned it. They filled it back in and they seeded it with something. Maybe they filled it too much. That is something we can investigate as we go forward. That is the only thing I found that differs between the two sets of documents from the Lobel time and the current time. That is where we are, and I think the only way we are going to get a feel for it all is a site visit.

Discussion ensued. It was estimated that the closest point the work zone was to the wetlands was approximately ten feet. No one present at the meeting could tell the commission what is currently inside said trailers on site.

MR CALLAHAN: I have a couple of comments. There is no stormwater management on this site. There are no stormwater controls proposed. Do we need stormwater controls on the site?

MR MELLO: I did not propose anything because I believe nothing has changed since DEP acted. If you guys want stormwater we can talk about that.

MR CALLAHAN: Going back to the Consent Order (CO) that Lobel complied with; when they closed out the CO and if he was to stay on the site would he have had to file an Order of Conditions to operate? Maybe they are like okay you restored the site back to the original condition. We're good with it. I think the CO was like okay you restored the site to previous existing conditions. We are fine with it. Moving forward though if you want to operate. I don't know the answer.

Discussion ensued.

MR CALLAHAN: Since the meeting has been opened I would recommend a few comments. I would recommend that they install stormwater management/controls on the site. Another thing I think the commission should consider is having them install some sort of protective barrier for the existing resource area. These guys have got trailers and they are backing up. There is not a lot of light back there. Who knows how far they can go back in the woods. I would suggest they install either a wooden guardrail, large boulders or something that protects the resource area.

Discussion ensued. A site visit was scheduled for Tuesday October 23 at 5pm.

Motion to continue both items as made by Mr. Wojcik. Seconded by Mr. Comak. Adopted unanimously.

OTHER

•Any other matter presented to the commission at this time.

MR CALLAHAN: The city a little over a year ago. The state started a new program it is about a year or two old. It is called the Municipal Vulnerability Preparedness Program. The city was to do kind of an assessment to how we are with climate change. Resiliency for climate change. We held a workshop at the North Shore Mall. Stew was there. Bryan was there. Mike was invited but he couldn't attend. It was a very large group. We invited about fifty people and about twenty-five people attended. It was not all the usual suspects. It was more of a diverse crowd. We kind of focused on rain events. Extreme hot and cold temperatures. Sea level rise. There is one more and I cannot think of it right this second but there were four things we focused on. We broke into groups.

One of the items we talked about is all the buildings. Are we prepared for an evacuation? Do we have the capacity to house them? Do we have generators that would run in case of an emergency? Some of our pump stations are in flood zones. We talked about elevating them or relocating them. We talked about addressing flooding issues throughout the watershed. Those were some of the items that were discussed. We came up with a list of the highest priorities. I just want to go through them really quickly. One of them is definitely relevant to the commission. The first priority was to evaluate and assess alternatives for managing commonly flooded areas and flood impact public safety concerns throughout the city. Including along the North River Canal, within the Lawrence Brook Watershed, in the downtown areas and along various brook channels. That kind of encompasses the entire city's watershed for the most part. Item number two was to improve emergency preparedness by evaluating alternative shelter locations for sustainable systems, planning for shelter upgrades, increasing education and outreach efforts, increasing emergency response certification levels and planning for emergency management staffing. Specifically acquire a generator for the senior center and work to increase the center's capacity to serve as a shelter. The third item was improving wetlands. This is the one that kind of involved the commission. Improve wetlands protection by revising the Wetlands Protection Ordinance to include limits on the allowable area of disturbance within the wetlands and wetland buffers. Change the conservation commission's default allowable disturbance to no disturbance. I think what they are saying is that we do have a no disturb zone in our city's ordinance. You don't really enforce it to the greatest extent and I think we are suggesting that the commission reconsider that. The fourth item was evaluating and revise the city's land development stormwater regulations to reduce impervious cover, reduce flooding and improve stormwater detention infiltration and treatment in the city. Review parking requirements, road design requirements, utility requirements and impervious cover limits. More specifically work to reduce flooding in the Lawrence Brook watershed by enhancing stormwater regulation by management. Couple more.

These are a little shorter. Floodproof and upgrade sewer pump stations including the station on Russel Street and others vulnerable to flooding. Conduct a public building assessment to evaluate their capacity for withstanding hazard events. The last item was to identify alternate sources of water to mitigate water supply impacts during drought conditions. So those were the seven highest priority action items that came through the workshop. Since we completed the workshop they announced the MVP Action Grant round. The city submitted two action grant applications and were awarded both applications. Peabody was rewarded the highest amount in the state. We received \$224,000.00 to do the North River Canal Wall assessment and stormwater management plan as well as develop Riverwalk design plans. We kicked off that project last week. We will be out in the corridor this week doing a lot of ...we are going to assess the wall itself and condition it. Then come up with five recommendations of how to possibly rehab it. Then pick a preferred alternative to rehab the wall.

We also received close to about \$250,000.00 for the Lawrence Brook flood mitigation stormwater management plan. They are proposing a new outfall off of Walnut Street into the North River on Palaeologus Street. So, they are proposing a new connection from the existing drainage coming off of Upton and actually tie into a new drainage pipe to Palaeologus. That will

then go from Walnut Street to the North River Canal pipe then discharge there. As well as explore multiple stormwater BMPs in the upper part of the Lawrence Brook watershed. Currently Lawrence Brook watershed is about 90% piped underground. There are a few daylight sections for the most part it is all buried. Doing the planning grant we have now moved into the action grant round. We are just finishing, we had to do a presentation last week for city council. That was the last box we had to check to kind of close out the planning grant program. Now we started the action grant project. All that work needs to be done by June 30, 2019. I am overseeing both of those projects. So, if you have any questions feel free to ask. Will Paulitz and Bill Stansfield are assisting me from the DPS side. Will Paulitz is working with the North River and Bill Stansfield Lawrence Brook.

Brief discussion ensued. The commission had to move forward with their set agenda. The commission would like to see any recommended changes to the local ordinance for their approval prior to any changes.

NOTICE OF INTENT

3. A Public hearing on a Notice of Intent submitted by William Manuell (Wetlands & Land Management, Inc) for Elizabeth Thomas (owner). The proposed work is the construction of an addition to an existing single-family house. The property is known as 55 Aberdeen Avenue, Map 108, Lot 68X, Peabody MA.

Present: John R. Keilty (legal counsel), Bill Manuell (Wetlands & Land Management, Inc.) and Elizabeth Thomas (owner)

Discussion ensued regarding the proposed project. There were no members of the public that wished to speak for or against the project.

Motion to close the public hearing as made by Mr. Wojcik. Seconded by Mr. Howcroft. Adopted unanimously.

Motion to issue a standard Order of conditions 1-47 adding the following finding and conditions:
FINDING: The proposed addition is located approximately 10 feet± from said resource area. The proposed addition will be constructed in almost the exact location of the existing garage. The commission felt that ten feet was very close to the wetlands due to the high groundwater table in the neighborhood. The commission cannot guarantee that the new addition will not flood during an extreme rain event. The property owners are aware that there is a possibility of said new addition flooding in the future. They did not wish to revise the plan depicting the addition farther from the resource. Since the addition will be located in approximately the same location as the existing garage; the commission felt they could vote favorably for said project if the property owner was aware that said new addition could flood in the future and the commission shall not be held liable also adding conditions: **48)** Orange construction fencing shall be installed along the wetland swale as shown on said plan mentioned above (and reduced plan attached). Conservation staff MUST inspect said orange fencing and erosion controls BEFORE any work can commence; **49)** There shall be NO stockpiling in the rear of the lot. all stockpiling must be on the existing driveway or front lawn area as made by Mr. Wojcik. Seconded by Mr. Howcroft. Adopted unanimously.

[Mr Howcroft recused himself from discussion and vote for item 4]

4. A continued Public Hearing on a Notice of Intent submitted by John R Keilty for Sawyer Street Associates. The proposed work is the construction of a new parking lot and stormwater management facilities. The property is known as 12 Crowninshield Street, Map 75, Lot 275, Peabody MA.

Present: John R Keilty (legal counsel) and Christopher Mello (ELSAI)

Summary: Discussion ensued. The item was discussed at the last hearing. The applicant's surveyor submitted a detail on the rain garden (including plant list), a detail for the retaining wall and arrows showing how the treatment train flows. Two flood zone signs were also added to the plan, so tenants are aware of the possibility of the parking area flooding. The commission also requested a letter from a wetland scientist regarding the rain garden and the plant suitability for the site. Attorney Keilty stated Mr. Manuell would submit said letter to the commission.

Discussion ensued. There were no members of the public that wished to speak.

Motion to close the public hearing as made by Mr. Wojcik. Seconded by Mr. Lazares. Adopted unanimously.

Motion to issue a standard Order of Conditions 1-47 adding the following conditions: **48)** The proposed "flood zone-park at your own risk" signs shown on revised sheet 4 shall be maintained in perpetuity, **49)** The applicant will conduct soil test pits on the proposed and existing parking lots. The applicant shall arrange to have a DPS engineer present when digging the soil test pits. The results of the soil test pits must be submitted to DPS for review, **50)** The O&M Plan is in perpetuity. Annual reports must be submitted to the commission annually on October 31 once the stormwater components are online and functioning properly, **51)** The plantings in the rain garden must survive two growing seasons at 75% coverage rate. A full Certificate of Compliance will not be issued until such time as made by Mr. Lazares. Seconded by Mr. Wojcik. Adopted unanimously with Mr. Howcroft recusing himself.

5. A public hearing on a Notice of Intent submitted by Elizabeth Wallis & Peter Ogren (Hayes Engineering) for Seven Dearborn Limited Partnership c/o Joe O'Donnell (owner). The applicant proposes to construct a parking lot with associated drainage and stormwater systems as part of site redevelopment for a new apartment building. The property is known as 7 Dearborn Avenue, Map 78, Lot 19, Peabody MA.

Present: Albert Ellis (owner), Peter Ogren (Hayes Engineering) and John Keilty (legal counsel)

Summary: The applicant gave a brief description of the proposed project. The site will be repurposed and create one hundred and eighty (180) apartments. The parcel currently has 102,000 square feet of impervious surface. It will increase to 144,000 square feet of impervious. Therefore, the project is considered redevelopment and new construction under the Regulations. The building proposed is five stories. There will be no activity beyond the existing disturbance of the buffer zone. The DPS memo must be addressed by the applicant before approval. There will be a site visit on October 25 at 4:45pm. There were no members of the public that wished to speak.

Motion to continue as made by Mr. Wojcik. Seconded by Mr. Lazares. Adopted unanimously.

APPROVAL OF MINUTES

6. MINUTES- NONE

SUBCOMMITTEE REPORTS

- **Land Acquisition Committee- Chairman Rizzo** **NONE**

OTHER

- **Any other matter presented to the commission at this time.**

Creation of a Lake & Pond Committee:

Chairman Rizzo recommend that the commission and the city create a Lake & Pond Committee. The commission asked conservation staff to follow up with the mayor's office regarding approval for the creation of said Lake and Pond Committee. The committee could help assist city officials and employees keep the lakes and pond in the city healthy. The committee could also help keep track of the contract with Solitude regarding the management of waterbodies throughout the city.

7. Adjournment

Motion to adjourn as made by Mr. Wojcik. Seconded by Mr. Lazares.

The meeting adjourned at 9:40pm.

Respectfully submitted-

Chairman Michael Rizzo